

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Addressing first the objection to the specification noted in paragraph 2 on page two of the Office Action, that objection is traversed by the present response.

Applicants note the specification at page 23, line 31 and page 24, line 5 contains a sample of a generic listing of a hyperlink URL. Those recitations are just a sample of a generic URL, and are not believed to omit any subject matter needed for completeness of the disclosure.

Claims 1-55 are pending in this application. Claims 1-54 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 6,638,314 to Meyerzon et al. (herein "Meyerzon '314") in view of U.S. patent 6,044,398 to Marullo et al. (herein "Marullo").

With respect to the above-noted rejection, applicants first note the rejection has not considered claim 55, which was added in the previous amendment. Applicants request that any subsequent Office Action fully consider claim 55.

Addressing now the rejection of claims 1-54 under 35 U.S.C. § 103(a) as unpatentable over Meyerzon '314 in view of Marullo, that rejection is traversed by the present response.

Applicants initially note the independent claims are amended by the present response to clarify features recited therein. Specifically, independent claim 1 clarifies which computer is making the request to access the prescribed electronic information. Specifically, independent claim 1 clarifies that the same computer that contains the prescribed electronic information makes a request for its own prescribed electronic information to be accessed by one of the computer servers. That is, as clarified in independent claim 1, a service provider can request accessing for recordation of a prescribed web page of his or her own world wide web site, so that the existence in a location of the prescribed web page can be known to the public as a prior art. That is, in the claimed invention if party A has a world wide web site

that may contain information that party A wishes to be known as prior art, that same party A requests that party A's world wide web site be accessed by a computer server to access party A's own prescribed electronic information. As noted above that feature is now clarified in independent claim 1. The other independent claims are also amended to clarify such subject matter, except for independent claim 55.

Applicants note the claims are also amended by the present response to make minor clarifications and particularly to no longer recite any operations as "steps". Claim 52 is also amended by the present response to correct for a minor informality introduced in the previous amendment in its dependency.

The features clarified in the claims are believed to clearly distinguish over the applied art.

The applicants of the present invention recognized that a problem exists with respect to determining when information released on a network, such as the Internet, becomes available as a publication, for example as prior art to a patent application. As a result one object of the present invention is to provide a novel system and method to certify the existence of electronic information released on a network, such as the Internet, at a prescribed time and date.¹

With the claimed system, a confirmation procedure is set in place to determine when electronic information is released on a network, so that if at a future time someone wishes to rely upon that electronic information, e.g., as prior art, there will be a certification as to the time and date of release of the electronic information, i.e., its publication. That entire environment of the claimed invention clearly differs from the teachings in Meyerzon '314.

Meyerzon '314 is directed to a web crawler to maintain a database of electronic documents. With reference to Figure 2 in Meyerzon '314, the device therein operates so that

¹ See for example the present specification at page 3, lines 3-7.

a browser 215 from a client 214 can provide a search request to a search engine 230 to search the web for documents.

However, in that respect Meyerzon '314 differs from the claimed features. More particularly, in the claimed invention the prescribed client computer containing a prescribed electronic information makes a request for a computer server to access its own information. That feature clearly differs from the teachings in Meyerzon '314.

Stated another way, for Meyerzon '314 to operate similarly as in the claimed invention, in Meyerzon '314 the browser 215 would have to make a request for the search engine 230 to search the client's 214 own prescribed electronic information. That is not done in Meyerzon '314.

Such differences between the operation in Meyerzon '314 and the claimed invention result because the device of Meyerzon '314 is directed to a web crawler designed to find all documents on the web.

In contrast to Meyerzon '314, the claims as currently written are directed to a method for allowing a user to have his or her own world wide web site accessed so that the user's own publication can be certified as to its date of availability, e.g. as a prior art date. Meyerzon '314 does not disclose any similar subject matter.

Applicants also note the device of Meyerzon '314 could not even operate as in the claimed invention for the following reason. In Figure 4 of Meyerzon '314 a history map showing a time stamp 414 column is provided. As noted in Meyerzon '314, "[t]he time stamp data 414 specifies the time stamp of the corresponding electronic document at the *most recent time* that the Web crawler retrieved the electronic document".² From the above-noted passage in Meyerzon '314, it is clear that Meyerzon '314 does not indicate a first time that a document is made public, which is the objective of the present invention, but instead

² Meyerzon '314 at column 10, lines 25-28 (emphasis added).

indicates the ***most recent time*** that a web crawler received the electronic document. Thus, the device of Meyerzon '314 does not and could not provide an accurate indication of when a document became publicly available, for example when it would qualify as prior art. Again that results because Meyerzon '314 is directed to a device with a different objective than that in the claims as currently written.

Moreover, no teachings in Marullo are believed to overcome the above-noted deficiencies in Meyerzon '314.

Further, with respect to independent claim 55, applicants note claim 55 is amended by the present response to further clarify that the second memory is "separate from the first memory". Such a feature is also believed to distinguish over the applied art.

In such ways, each of claims 1-55 is believed to distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

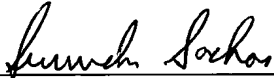
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